



U.S. ARMY

Western Review

of Legislative & Regulatory Actions

Region 9



The U.S. Army Regional Environmental & Energy Office

December 2013

The **WESTERN REGION 9 REVIEW** provides current information on natural resource, energy, and environmental issues relevant to Department of Defense interests in the 4 states and territories that comprise Federal Region 9. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Western Region 9 Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to nancy.l.reese2.ctr@mail.mil.



Table of Contents

Arizona.....	2
California.....	2
Hawaii and Pacific Islands.....	2
Nevada.....	3
DoD Activity.....	3
Federal Activity.....	5
Professional Development.....	10
Staff Directory.....	13
Acronyms.....	14

National Federal Facilities Compliance and Enforcement FY 2014 Program Agenda

The Environmental Protection Agency (EPA) released its [National Federal Facilities Compliance and Enforcement Fiscal Year \(FY\) 2014 Program Agenda](#). The agenda identifies Integrated Strategy and Exploratory Areas agreed to by its Federal Facility Enforcement Office and regional Federal Facility Program Managers. For FY14, focus areas include:

Industrial Stormwater – discharges from airports, hazardous waste treatment, storage, or disposal facilities, and scrap recycling facilities;

Hazardous Waste – medical facilities and large quantity generators not recently inspected;

GOCO/GOPO – government owned/contractor operated and government owned/private operated facilities and energy extraction;

Risk Management – federal facilities required to have risk management plans under the [Clean Air Act, 112\(r\)](#);

Climate Change/Flood Plain Areas – federal facilities in flood plain zones that manage hazardous waste and/or toxic materials, or discharge industrial stormwater; and

Drinking Water – federally owned drinking water system and underground injection wells.

In addition, for FY14, EPA will continue to focus on:

Compliance Enforcement ([NextGen Compliance](#));

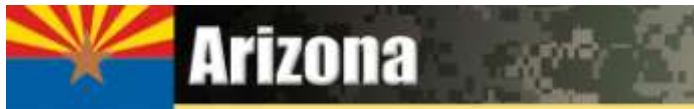
Compliance Assistance (maximize use of [FedCenter](#) to deliver compliance assistance tools); and

Cleanup/Land Restoration (enforcement, cleanups at non-listed federal facilities, completion of Federal Facility Agreements, documentation and oversight, and efforts to promote long-term stewardship at cleanup sites).

Dropped from the 2014 agenda are excess federal real estate, underground storage tanks, and Resource Conservation and Recovery Act (RCRA) corrective action.

Region 9

For more information on any state issues in Region 9, contact
[Tim Kilgannon](#), Region 9 Environmental Coordinator (303) 844-0953.



LEGISLATIVE DEVELOPMENTS

The [2014 Arizona legislative session](#) is scheduled to begin 4 FEB 14 and estimated to adjourn 19 MAY 14.



THREATENED AND ENDANGERED SPECIES

BLACK-BACKED WOODPECKER The California Fish and Game Commission [determined](#) that a petition action to add the black-backed woodpecker (*Picoides arcticus*) to the list of threatened or endangered species under the California Endangered Species Act is not warranted. This finding was published 22 NOV 13. For more information, contact Sonke Mastrup at (916) 653-4899.

TOXICS

PROPOSITION 65: TRICHLOROETHYLENE The California Office of Environmental Health Hazard Assessment (COEHHA) [announced](#) that it intends to list the chemical trichloroethylene (TCE) as known to the state to cause reproductive toxicity under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). COEHHA is requesting comment on whether trichloroethylene meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. Comments are due 13 JAN 14. For more information, contact [Cynthia Oshita](#) at (916) 445-6900 or visit the [COEHHA website](#).

LEGISLATIVE DEVELOPMENTS

The [2014 California legislative session](#) begins 6 JAN 14 and is estimated to adjourn 12 SEP 14.



LEGISLATIVE DEVELOPMENTS

The [2014 Hawaii legislative session](#) is scheduled to begin 14 JAN 14 and adjourn 1 MAY 14.

The [2013 Guam legislative session](#) began 2 JAN 13 and adjourns 28 DEC 13.

[COR 108-32](#) proposes to change definitions in Guam's 2010 bottle recycling law (Public Law 30-221) to give Guam EPA flexibility in adjusting program fees. The bill establishes beverage container fees to be paid by distributors, requires beverage containers to be marked with the refund value, and addresses implementation and management requirements of the bottle recycling law. Passed 11 NOV 13.

[COR 61-32](#) proposes to adopt revisions to the Guam Building Energy Code. The code specifies building energy requirements applicable to all non-residential and residential construction. Introduced 4 MAR 13.

[COR 26-32](#) proposes to mandate the creation of the Guam Public Notice Website. The bill would require the Department of Administration to create and maintain a publicly accessible website that will allow government agencies to post required public notifications. Introduced 28 JAN 13.

[COR 11-32](#) proposes to create the Guam Coral Reef Protection Act. The act includes notification provisions for any person who damages corals and provides for civil and other penalties. Introduced 10 JAN 13.



LEGISLATIVE DEVELOPMENTS

[Nevada](#) does not hold a legislative session in 2014.

Department of Defense Activity

ENERGY

DoD-NRDC PRIMER ON RENEWABLE ENERGY SITING The Natural Resources Defense Council (NRDC) and the DoD released a joint renewable energy siting primer titled "[Working with the Department of Defense: Siting Renewable Energy Development](#)." The guide was developed through a collaborative process that included input from renewable energy developers; federal, state and local siting officials; and environmental groups. The guide provides a range of factors, siting considerations, and information that renewable energy developers and other stakeholders should keep in mind when working with DoD on siting renewable energy projects. When used early in the project development process, the guide will help developers/stakeholders identify, then avoid or mitigate potential conflicts with defense missions and environmental concerns, thus increasing the chances of project completion.

PUBLICATIONS

DoDI 4500.36: NON-TACTICAL VEHICLES [Department of Defense Instruction \(DoDI\) 4500.36](#), "Acquisition, Management, and Use of Non-Tactical Vehicles (NTVs)," was reissued 25 OCT 13. The DoDI establishes policy, assigns responsibilities, and provides procedures for DoD-owned and DoD-controlled NTVs. Among the responsibilities specified:

- Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)) must:
 - Provide guidance to DoD components on energy and environmental infrastructure requirements as they relate to NTVs; and
 - Collect, review, and submit energy-related reports consistent with Executive Order [\(EO\) 13423](#) (Strengthening Federal Environmental, Energy, and Transportation Management), [Presidential](#)

[Memorandum \(Federal Fleet Performance\)](#), [Public Law 110-40 \(Energy Independence and Security Act of 2007\)](#), [EO 13514](#) (Federal Leadership in Environmental, Energy, and Economic Performance), and future energy related laws.

- Heads of DoD Components must:
 - Acquire NTVs and associated infrastructure; and
 - Annually report alternative fuel vehicle data in accordance with DoDI 4500.36R.

DoDM 4715.03: INRMP IMPLEMENTATION MANUAL [Department of Defense Manual \(DoDM\) 4715.03](#), "Integrated Natural Resource Management Plan (INRMP) Implementation Manual," was reissued 25 NOV 13. The DoDM provides procedures to prepare, review, update, and implement INRMPs in compliance with the [Sikes Act](#).

DoDI 4715.05: ENVIRONMENTAL COMPLIANCE OUTSIDE THE U.S. [DoDI 4715.05](#), "Environmental Compliance at Installations Outside the United States," was reissued 1 NOV 13. The DoDI establishes policy and assigned responsibilities for managing environmental compliance to protect human health and safety outside the United States on installations under DoD control.

DoDI 4715.08 REMEDIATION OUTSIDE THE U.S. [DoDI 4715.08](#), "Remediation of Environmental Contamination Outside the United States," was reissued 1 NOV 13. The DoDI establishes policy and assigns responsibilities and procedures for remediation of environmental contamination on DoD installations outside the United States. DoDI 4715.08 cancels and incorporates the DoD Memorandum "Environmental Remediation Policy for DoD Activities Overseas" (18 OCT 95).

DoDI 5525.17: CULTURAL LAW ENFORCEMENT PROGRAM [DoDI 5525.17](#), "Conservation Law Enforcement Program (CLEP)," was issued 17 OCT 13. The DoDI establishes policy, assigns responsibilities, and provides for direction of the CLEP in accordance with DoD Directive (DoDD) [5124.02](#). Among the DoDI policy statements:

- The protection of property and natural and cultural resources under DoD control is accomplished through the enforcement of all applicable federal and state laws and regulations.
- The CLEP roles and responsibilities will be integrated into an installation's INRMP and Integrated Cultural Resources Management Plan (ICRMP), where conservation law enforcement is required.

TRAINING SITES AND RANGES

PIÑON CANYON MANEUVER SITE Assistant Secretary of the Army Katherine Hammack [announced](#) that the DoD is rescinding the 2007 land acquisition waiver for the Army that would have added 238,000 acres to the Piñon Canyon Maneuver Site (PCMS). With a smaller Army and a smaller budget, the service intends to use PCMS in its current size for the foreseeable future, [said Ms. Hammack](#).

NEUTRALIZING RDX IN SURFACE SOILS The Navy Environmental Sustainability Development to Integration (NESDI) program published an article in the fall 2013 edition of the [Navy's Currents magazine](#) about its efforts to address the presence of Royal Demolition Explosive (RDX) in surface soils at Navy air-to-ground ranges. The article, "Neutralizing RDX in Surface Soils at Two Navy Air-To-Ground Ranges," presents the results of two demonstration and treatability studies. The studies demonstrate and validate that applying hydrated lime ensures there is no residual RDX in surface soils at the study sites, show range managers how to properly apply the lime, and provide guidance on how to apply the lime. For more information, visit the [NESDI program website](#).

Federal Activity

AIR

AREA SOURCE BOILER RULE INSTRUCTIONAL VIDEO SERIES EPA released a [new video series](#) explaining the area source boiler rule. The video series consists of four modules that explain various aspects of the rule, including an overview that addresses applicability and specific rule requirements, a module on how to conduct a boiler tune-up, and a module on recordkeeping and reporting requirements. Area source boilers are commercial, institutional, or industrial facilities that emit or have the potential to emit less than 10 tons per year of a single hazardous pollutant, or less than 25 tons per year of combined hazardous air pollutants. Additional information is available on the EPA [Boiler Compliance website](#).

NORTHERN MARIANA ISLANDS: SIP EPA is proposing to disapprove the Prevention of Significant Deterioration (PSD) portion of the Commonwealth of the Northern Mariana Islands (CNMI) State Implementation Plan (SIP) and to incorporate by reference the federal PSD regulations into the applicable CNMI plan ([78 FR 70248](#)). The agency is also proposing to approve an alternate date as the major source baseline date and trigger date in the CNMI SIP. This action would establish the federal PSD regulations as a basic element of the CNMI SIP and establish January 13, 1997 as the major source baseline date (and trigger date) under the PSD program in CNMI for sulfur dioxide (SO₂), coarse particulate matter (PM₁₀) and nitrogen dioxide (NO₂). Comments are due 26 DEC 13. For more information, contact [La Weeda Ward](#) at (213) 244-1812.

CLEANUP

RCRA CORRECTIVE ACTION EPA is seeking suggestions from state waste managers on how it might use results from a handful of pilot projects it is conducting. The projects are aimed at improving the Resource Conservation and Recovery Act (RCRA) facility investigation (RFI) process as part of a broader agency effort to design a framework for streamlining corrective action at major industrial sites. The pilots are being conducted by EPA Regional Offices 3 and 7 with the collaboration of site owners and operators, states, and other stakeholders. They are aimed at expediting the RFI process at major industrial sites and improving investigations to develop remedies and streamline cleanup activities. The projects are intended to test waste cleanup goals that EPA and states unveiled in April 2010 alongside EPA's [National Enforcement Strategy for RCRA Corrective Action](#) (NESCA), which is designed to help regions and states meet the program's goals. The strategy is also meant to provide a roadmap for using enforcement actions to prioritize certain sites for remediation.

WITHDRAWN: STANDARDS AND PRACTICES FOR INQUIRIES Because EPA received adverse comment, the agency withdrew the direct final rule titled, [Amendment to Standards and Practices for All Appropriate Inquiries](#), published 15 AUG 13 ([78 FR 64403](#)). The amendment would have recognized and referenced ASTM International's updated standard E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. For more information, contact Rachel Lentz at (202) 566-2745.

EL TORO MCAS EPA published a direct final rule deleting a portion of the El Toro Marine Corps Air Station (MCAS) Superfund site from the National Priorities List (NPL) ([78 FR 69302](#)). This action affects specified parcels for which the agency determined that all appropriate response actions have been completed. Remaining areas of the site will stay on the NPL. The partial deletion does not preclude future actions under Superfund. Refer to the Federal Register citation for details on parcels affected by this final rule. The direct final partial deletion is effective 21 JAN 14 unless EPA receives adverse comments by 19 DEC 13. For more information, contact [Mary Aycock](#) at (415) 972-2389.

CLIMATE CHANGE

EXECUTIVE ORDER: CLIMATE CHANGE On 1 NOV 13, President Obama signed [Executive Order \(EO\) 13653](#), "Preparing the United States for the Impacts of Climate Change." The EO provides that:

- Within nine months, the DoD, EPA, Interior, and Agriculture Departments, the National Oceanic and Atmospheric Administration, the Federal Emergency Management Agency, and others complete an inventory and assessment of proposed and completed changes to their land- and water-related policies, programs, and regulations necessary to make the nation's watersheds, natural resources, and ecosystems more resilient in the face of a changing climate, including emphasis on carbon sequestration;
- Agencies will continue to update their Climate Adaptation Plans, in particular addressing any risks to the agency's mission or ability to operate;
- There is established an interagency Council on Climate Preparedness and Resilience, which will supersede the Interagency Climate Change Adaptation Task Force;
- There is established, for 18 months, a State, Local, and Tribal Leaders Task Force; and
- Other provisions regarding open data and tools relevant to climate issues and decision-making.

DRAFT CLIMATE CHANGE ADAPTATION: REGIONAL PLANS EPA released 17 Program and Regional Climate Change Adaptation Implementation Plans for public comment ([78 FR 65980](#)). The ten regional and seven national program plans provide details on how each region/program will carry out the work called for in the EPA's 2013 agency-wide draft [Climate Change Adaptation Plan](#). Comments on the regional and program plans are due 3 JAN 14. For more information, contact Gerald Filbin at (202) 566-2182. The regional and program implementation plans are available at the EPA's [Climate Change Adaptation Implementation Plan](#) website.

ENERGY

ENERGY TRANSMISSION LINE IMPACT STUDY DoD [is working with](#) the Massachusetts Institute of Technology's (MIT's) [Lincoln Labs](#) to conduct a study to evaluate potential impacts that a planned \$1.5 billion electric transmission line may have on test operations at the White Sands Missile Range in southern New Mexico. The SunZia transmission line has tentative approval from the Bureau of Land Management (BLM) for a preferred route across the northern extension of the missile range. DoD is concerned that the proposed route would interfere with weapons tests on the range, which could impact national security. It is expected the study could be completed in 2014. BLM planned to make a decision on the SunZia line this fall; that decision will now be postponed until MIT Lincoln Lab finishes its study.

AFFECT GRANT PROGRAM FOR RENEWABLE ENERGY AT FEDERAL FACILITIES Department of Energy's (DOE's) Federal Energy Management Program (FEMP) issued a Funding Opportunity Announcement, "Assisting Federal Facilities with Energy Conservation Technologies (AFFECT)." The AFFECT funding opportunity will provide direct funding to federal agencies for the development of combined heat and power or renewable energy capital projects. The anticipated total funding is \$5 million, with anticipated funding per award to be between approximately \$50,000 and \$1 million. For more information, email the [AFFECT program](#), or visit the [FEMP website](#).

ARIZONA ADOPTS \$5 MONTHLY FEE FOR ROOFTOP SOLAR The Arizona Corporation Commission [adopted](#) a \$5 monthly fee for customers of the state's largest utility who install rooftop panels. Arizona Public Service had sought a monthly rate increase for solar customers of \$50 to \$100. Under the current net-metering system, homeowners with solar panels can reduce their monthly bills, effectively shifting much of the cost of operating the power distribution grid to homeowners without solar. The monthly fee is intended to shift a portion of those grid costs back to homeowners with solar panels.

HAZARDOUS MATERIALS

PAPERLESS HAZARD COMMUNICATIONS PILOT PROGRAM The Pipeline and Hazardous Materials Safety Administration (PHMSA) is conducting a pilot program to evaluate the effectiveness of paperless hazard communications systems ([78 FR 70399](#)). This notice acknowledges comments received regarding the proposed pilot and provides details on the four information collection efforts to be conducted under the pilot program. Comments are due 26 DEC 13. For more information, contact Luciana DiGhionno at (202) 366-8553.

EPCRA REPORTING EPA added ortho-nitrotoluene to the list of toxic chemicals subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) ([78 FR 66848](#)). The reporting requirement applies to facilities that manufacture, import, process, or otherwise use ortho-nitrotoluene in excess of the reporting threshold quantity. That is generally 25,000 pounds of the chemical manufactured (including imported) or processed at a facility; or 10,000 pounds otherwise used at a facility for the applicable calendar year. The chemical is used in the production of other chemicals and dyes and as an intermediate in the synthesis of explosives. For more information, contact Daniel Bushman at (202) 566-0743.

HAZCOM STANDARD COMPLIANCE DEADLINE The [deadline](#) for employers to begin complying with the Occupational Safety and Health Administration (OSHA) Hazard Communication (HazCom) standard was 1 DEC 13. The new HazCom standard (adopted in 2012) aims to improve employees' understanding of the health and physical dangers of chemicals and to align reporting with the United Nations' [Globally Harmonized System of Classification and Labeling of Chemicals](#) (GHS). Along with OSHA's adoption of GHS, the new standard also renames material safety data sheets as safety data sheets. Safety data sheets must now meet a specific 16-section format. The new standard also includes prescriptive labeling guidelines that call for the use of pictograms (examples pictured), signal words, hazard statements, and precautionary statements to detail what hazards may be in the chemicals. By 1 DEC 13, employers were required to train staff on the new regulations.

OTHER

EPA DRAFT FY 2014-2018 STRATEGIC PLAN EPA released its Draft FY 2014-2018 EPA Strategic Plan for comment ([78 FR 69412](#)). EPA anticipates the final Strategic Plan will be submitted to Congress in February 2014. EPA made targeted revisions to the existing plan that seek to advance efforts to address changing climate, protect water and land resources, and advance chemical safety. The plan outlines how EPA will advance sustainability and innovation, and provide scientific advice, technical and compliance assistance, and other tools. In addition, the EPA is proposing new FY 2014-2015 Agency Priority Goals, which include:

- Continuing emphasis on use of information technologies to optimize business processes and increase transparency;
- Promoting use of safer chemicals in commerce;
- Continuing evaluation of pesticide and commercial chemical risks;
- Enhancing the nonpoint source program to address the nation's largest sources of water pollution; and
- Advancing sustainability by selecting sustainability indicators covering energy use, water use, and materials use and preparing to pilot them within and across EPA programs.

Comments are due 3 JAN 14. For more information, contact [Vivian Daub](#) or visit the [EPA Strategic Plan website](#).

POLLUTION PREVENTION

2013 GREENGOV PRESIDENTIAL AWARDS The White House Council on Environmental Quality (CEQ) [announced](#) the fourth annual winners of the GreenGov Presidential Awards, which honor federal civilian and military personnel as well as agency teams, facilities, and programs that have taken innovative steps to reduce energy use and carbon pollution, curb waste, and save taxpayer money in federal agency operations. At a White House ceremony, senior administration officials recognized the eight award winners for exemplifying President Obama's charge to lead by example and

demonstrating extraordinary achievement in the pursuit of the President's 2009 [Executive Order on Federal Leadership in Environmental, Energy, and Economic Performance](#).

THREATENED AND ENDANGERED SPECIES

REVISED LIST OF MIGRATORY BIRDS The Fish and Wildlife Service (FWS) revised the list of migratory birds by adding 23 species and removing four others ([78 FR 65843](#)). The total number of species protected under the Migratory Bird Treaty Act now stands at 1,026. The final rule was effective 2 DEC 13. For details about species added or deleted, refer to the Federal Register citation. For more information, contact George Allen at (703) 358-1825.

CANDIDATE NOTICE OF REVIEW FWS released its annual list of species it regards as candidates for (or is proposing to add to) the list of threatened and endangered wildlife ([78 FR 70103](#)). The candidate notice of review (CNOR) summarizes the status and threats that FWS evaluated to determine that species qualify as candidates, assigns a listing priority number (LPN) to each species, and determines whether any species should be removed from candidate status. Additional material the agency relied on is available in the species assessment and listing priority assignment forms (species assessment forms) for each candidate species. Overall, this CNOR recognizes no new candidates, changes the LPN for three candidates, and removes three species from candidate status. For more information, contact FWS at (703) 358-2171, or refer to the Federal Register citation.

WOLVERINE: COMMENT PERIOD REOPENED FWS reopened the public comment period for its proposal to designate the [North American wolverine](#) distinct population segment (DPS) as threatened ([78 FR 65248](#)). Currently, wolverines are found in the North Cascades in Washington and the Northern Rocky Mountains in Idaho, Montana, Oregon (Wallowa Range), and Wyoming. Individual wolverines have also moved into the Sierra Nevada Mountains of California and the Southern Rocky Mountains of Colorado, but have not established breeding populations in these areas. Comments were due 2 DEC 13. The service intends to issue a final rule by 4 FEB 14. For more information, contact Jodi Bush at (406) 449-5225.

BLACK-FOOTED FERRET PROGRAMMATIC SAFE HARBOR AGREEMENT FWS finalized a [black-footed ferret programmatic safe harbor agreement](#) (under the [Safe Harbor Program](#)) in October 2013. The purpose of the agreement is to encourage non-federal landowners to voluntarily engage in conservation activities to benefit and advance recovery of the endangered [black-footed ferret](#) (*Mustela nigripes*). The agreement is programmatic in nature and applicable across the 12-state historical range of the species, which includes portions of Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming. Under the terms of the agreement, non-federal landowners who elect to participate in the agreement obtain a certificate of inclusion that specifies incidental take authorizations. The FWS will develop a biological opinion under the intra-service Section 7 consultation process. The biological opinion will provide for incidental take of black-footed ferrets by non-participating landowners (i.e., nearby non-enrolled landowners) affected by ferrets dispersing from participating lands. According to news reports, at least one rancher in Colorado has expressed interest in the program.

GREATER SAGE-GROUSE LAND USE PLAN, EIS: CALIFORNIA-NEVADA SUB-REGION BLM and the U.S Forest Service released the [Nevada and Northeastern California Sub-region Greater Sage-Grouse Draft Land Use Plan \(LUP\) Amendments and Draft Environmental Impact Statement \(EIS\)](#) for public comment ([78 FR 65701](#)). The western region national sage-grouse planning strategy is divided into four sub-regions: Northeastern California-Nevada; Oregon; Idaho and Southwestern Montana; and Utah. Each sub-region will develop an EIS covering its territory. The Northeastern California-Nevada sub-region encompasses the BLM Eagle Lake, Alturas, and Surprise Field Offices in the Northern California District the Elko, Winnemucca, Carson City, Ely, and Battle Mountains Districts in Northern Nevada and the Forest Service Humboldt-Toiyabe National Forest. Comments are due 29 JAN 14. For more information, contact [Joe Tague](#) at (775) 861-6712.

PROPOSED DELISTING: INYO CALIFORNIA TOWHEE FWS is proposing to remove the [Inyo California towhee](#) (*Pipilo crissalis eremophilus*) from the federal list of endangered and threatened wildlife because the species has recovered ([78 FR 65938](#)). The proposed rule, if made final, would also remove the currently designated critical habitat for the

species throughout its range (Inyo County, California). Comments are due 3 JAN 14. For more information, contact Stephen Henry at (805) 644-1766.

DEPRADATION ORDER: TWO SPECIES IN HAWAII FWS is proposing to issue depredation orders authorizing take of two introduced migratory birds in Hawaii ([78 FR 65955](#)). The supporting draft environmental assessment (EA) associated with the depredation order is also available for comment. The service is proposing to allow take of cattle egrets (*Bubulcus ibis*) and barn owls (*Tyto alba*) by authorized agencies. The service considers authorized agencies to be those that have functional and/or jurisdictional responsibility for controlling invasive species and protecting native species in the Hawaiian Islands and specifically identifies the DoD as an authorized agency. Comments are due 3 FEB 14. For more information about the proposed rule, contact George Allen at (703) 358-1825. For more information about the draft EA, contact Jenny Hoskins at (503) 382-7056.

90-DAY FINDING: PINTO ABALONE The National Marine Fisheries Service (NMFS), in response to petitions to list the [pinto abalone](#) and designate critical habitat, found that listing may be warranted ([78 FR 69033](#)). The service will conduct a status review to determine if listing is warranted. Pinto abalone have a broad latitudinal range extending from Sitka Island, Alaska, to Baja California, Mexico; it is the predominant abalone found in Washington and Alaska, and in British Columbia, Canada. Comments are due 17 JAN 14. For more information, contact Melissa Neuman at (562) 980-4115.

WATER

NPDES MULTI-SECTOR GENERAL PERMIT RE-ISSUANCE As part of the process for EPA to re-issue its National Pollutant Discharge Elimination System (NPDES) general permit for discharges from industrial activities (commonly referred to as the [Multi-Sector General Permit](#), or MSGP), the agency is preparing an EA to analyze potential environmental impacts ([78 FR 68835](#)). This notice initiates the scoping process by inviting comments to identify issues and alternatives to be examined in the EA. The agency is currently planning to analyze two alternatives: No Action, that is not issuing the MSGP; and the proposed action, which is issuing the draft MSGP as proposed for a designated new source of industrial stormwater discharge. Comments are due 16 DEC 13. EPA is the issuing authority in four states (Idaho, Massachusetts, New Hampshire, and New Mexico), the District of Columbia, Puerto Rico, all U.S. territories (except the Virgin Islands), federal facilities in four states (Colorado, Delaware, Vermont, and Washington), and most Indian lands. EPA's current MSGP was effective 28 OCT 08 and expired 29 SEP 13. Facilities that obtained coverage under the 2008 MSGP prior to its expiration were automatically granted an administrative continuance of permit coverage. For more information, contact Jessica Trice at (202) 564-6646.

NATIONAL DROUGHT RESILIENCE PARTNERSHIP As part of its [Climate Action Plan](#), the Obama Administration announced the formation of a new [Drought Resilience Partnership](#) to help communities better prepare for future droughts. The partnership will make it easier to access federal drought resources and will help link information such as monitoring, forecasts, outlooks, and early warnings with longer-term drought resilience strategies in critical sectors such as agriculture, municipal water systems, energy, recreation, tourism, and manufacturing. For more information, visit the [U.S. Drought Portal](#).

EPA AWARDS GRANTS TO PACIFIC TERRITORIES EPA [awarded \\$30 million](#) as part of a yearly program that provides grants to Guam, CNMI, and American Samoa for use in continuing environmental protection work and for improvements to drinking water and wastewater infrastructure. Guam EPA will receive \$3.2 million, CNMI Department of Environmental Quality will receive \$1.7 million, and American Samoa EPA will receive \$1.8 million to support their operations. The work done by the agencies includes inspections, monitoring the safety of beaches and drinking water, permit writing, enforcement, and other facets of their environmental protection programs. Additionally, EPA provides drinking water and wastewater construction grants to improve the water supplies in each of the territories. The Guam Waterworks Authority will receive \$8.2 million, CNMI's Commonwealth Utilities Corp. will receive \$6.9 million, and the American Samoa Power Authority will receive \$8.3 million.

Professional Development

Federal Facilities Environmental Stewardship and Compliance Assistance Center - FedCenter.gov is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- P2 opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:
 - [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
 - [Environmental Management Systems](#) (FedCenter membership required);
 - [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,
- Environmental reporting tools, and
- Daily newsletter and subscription services.

USACE PROSPECT TRAINING USACE announces course availability for the FY14 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Please see the [Course Catalog \(a.k.a. Purple Book\)](#) and [List of Classes and schedule](#) for details. Courses are open to all federal, state, county and city employees and contractors. There are different registration processes for each entity.

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY14 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY14 is available. Course topics include environmental overview and management; law planning and sustainability; pollution prevention; restoration; conservation; supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY14 The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charges. Travel costs are born by the student.

QUALIFIED RECYCLING PROGRAM RESIDENT COURSE TO BE REPLACED WITH DISTANCE LEARNING DoD's Qualified Recycling Program (QRP) 40-Hour Resident Course (WENV 160), which has been taught and managed by the Air Force Institute of Technology (AFIT), is being reformatted as a distance learning course. This action is being taken to accommodate budget restrictions on training and travel. The reformatted, web-based course will continue to offer the same opportunities for student involvement (e.g., group activities, assignments, discussions, etc.) as the resident course. Although reformatting the Qualified Recycling Course for distance learning is not yet complete, AFIT anticipates the web-based course will be offered several times in FY14. This action is part of a broader effort to increase distance-learning options. For more information, visit the [AFIT course website](#), or contact Mr. Tom Glardon at (937) 255-5654 ext 3538 (DSN 785-4645).

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The U.S. Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the [US Army Environmental Command \(AEC\) website](#), which has links to training provided by DoD organizations.

ONLINE TRAINING

FEMP eTRAINING COURSES The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide (WBDG) to host these comprehensive, FEMP-developed eTraining courses. [Promotional materials](#) are available to help federal agencies encourage the completion of FEMP's eTraining courses. For more information about FEMP eTraining courses, contact [Beverly Dyer](#) at (202) 586-7753. The following courses are available:

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Building Automation Systems for Existing Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Commissioning for Existing Federal Buildings](#) (4.5 hours, .50 CEUs)
- [Energy-Efficient Federal Purchasing](#) (4.5 hours, .50 CEUs)
- [Energy Savings Performance Contracting](#) (8.5 hours, .90 CEUs)
- [Federal On-Site Renewable Power Purchase Agreements](#) (2.5 hours, .30 CEUs)
- [Launching a Utility Energy Services Contract \(UESC\): Getting to Yes!](#) (3 hours, .40 CEUs)
- [Managing Water Assessment in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Measurement and Verification in ESPCs](#) (3 hours, .40 CEUs)
- [Planning an Energy Assessment for Federal Facilities](#) (4 hours, .50 CEUs)
- [Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Sustainable Institutional Change for Federal Facility Managers](#) (3 hours, .40 CEUs)
- [Utility Service Contracts and Energy Project Incentive Funds](#) (90 minutes)

CLIMATE READY WATER UTILITIES EPA's Climate Ready Water Utilities initiative assists the water sector (drinking water, wastewater, and stormwater utilities) address impacts from climate change. This information helps utility owners and operators better prepare their systems for the impacts of climate change. The website has links to [tools and resources](#), new and recorded [training webinars](#), and more.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES This [webinar series](#) was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

PRODUCTION TAX CREDIT EXTENSION, PROCESS, AND IMPACTS WEBINAR This webinar features Paul Holshouser of the American Wind Energy Association, and Jon Chase from Vestas, who provide an insiders' perspective of the last-minute Production Tax Credit extension, including details about how the extension differs from past extensions, current status of the rule implementation, and the potential impacts on the wind industry.

WATER'S IMPACT ON THE ENERGY SECTOR This webinar features Stacy Tellinghuisen, senior energy/water policy analyst at Western Resource Advocates, who shares new research on the national impacts of water scarcity on the energy sector, including how the expanded use of renewable energy and energy efficiency can help reduce the potential impacts that prolonged droughts will have on the energy sector.

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM – Webinar Series The REPI Webinar Series is presented by DoD in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted.

EPA NPDES TRAINING COURSES AND WORKSHOPS Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers, dischargers, EPA officials and other interested parties. Topics include vessel general permits, combined sewer

overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs. Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management (SMM) is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

ITRC INTERNET BASED TRAINING The Interstate Technology And Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming internet-based training events.

EPA RCRA TRAINING RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout EPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations, and implementation. Topics include general RCRA, RCRA corrective action, Environmental Management Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and environmental justice and RCRA permitting.

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Western Region Review* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DoD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

Want to comment on a rule or bill in the Review?

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Acronyms

AAQS	ambient air quality standards
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ADEQ	Arizona Department of Environmental Quality
ADWM	Arizona Department of Weights and Measures
ADWR	Arizona Department of Water Resources
AFB	Air Force Base
AGRRC	Arizona Governor's Regulatory Review Council
AQIP	Air Quality Improvement Program
ARNG	Army National Guard
ASTM	American Standard Test Method
ATSDR	Agency for Toxic Substances and Disease Registry
BACM	best available control measure
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CaRFG3	phase 3 California reformulated gasoline
CBAR	California Bureau of Automotive Repair
CDC	California Department of Conservation
CDFG	California Department of Fish and Game
CDPH	California Department of Public Health
CDPR	California Department of Pesticide Regulation
CDTSC	California Department of Toxic Substances Control
CDWR	California Department of Water Resources
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulation
CH₄	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
COAL	California Office of Administrative Law
COE	Army Corps of Engineers
COEHHA	California Office of Environmental Health Hazard Assessment
CPUC	California Public Utilities Commission
CrVI	hexavalent chromium
CSWRCB	California State Water Resources Control Board
CVC	California Vehicle Code
CWA	Clean Water Act
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior

DOT	Department of Transportation
DSM	demand side management
DPS	distinct population segment
EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EPA	Environmental Protection Agency
EO	Executive Order
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service
FY	fiscal year
GAO	Government Accountability Office
GEPA	Guam Environmental Protection Agency
GHG	greenhouse gas
GSA	General Service Administration
HAP	hazardous air pollutant
HAR	Hawaii Administrative Rule
HB	House Bill
HCFC	hydrochlorofluorocarbon
HCWRM	Hawaii Commission on Water Resource Management
HDA	Hawaii Department of Agriculture
HDLNR	Hawaii Department of Land and Natural Resources
HDOH	Hawaii Department of Health
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MADL	maximum allowable dose level
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MERIT	Materials of Evolving Regulatory Interest Team
MOU	memorandum of understanding
MPA	marine protected area
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration

NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NSEC	Nevada State Environmental Commission
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
PM_{2.5}	particulate matter 2.5 microns in diameter or less
PM₁₀	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	state implementation plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WGA	Western Governors' Association
WRAP	Western Regional Air Partnership